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DLA PIPER RUDNICK GRAY CARY US, LLP
2000 UNIVERSITY AVENUE
E. PALO ALTO, CA 94303-2248

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OFFICE OF PETITIONS

In re Application of Ya-Fen et al. :
Application No. 10/797,207 :
Filing Date: March 9, 2004 :
Attorney Docket No. 2102397-992990 :

Decision on Petition

This is a decision on the renewed petition under 37 CFR 1.137(a), filed December 19, 2005, to revive the above-identified application. The petition has been filed in the alternative under 37 CFR 1.137(b).

The petition under 37 CFR 1.137(a) is **granted**.

The petition under 37 CFR 1.137(b) is **dismissed as moot**.

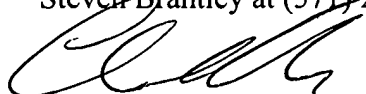
A Notice of Allowance and a Notice of Allowability were mailed on January 31, 2005. The issue fee and publication fee were not timely received. The application was deemed abandoned as of midnight on April 30, 2005. A Notice of Abandonment was mailed on July 8, 2005.

Petitioner has proven the issue fee and publication fee were timely and properly mailed to the Office on April 25, 2005. Therefore, the petition under 37 CFR 1.137(a) is granted.

Since the petition under 37 CFR 1.137(a) has been granted, the petition under 37 CFR 1.137(b) is unnecessary and dismissed as moot. A fee for the petition under 37 CFR 1.137(b) has not been charged to petitioner's deposit account.

The Office of Publications will be informed of the instant decision so that steps can be taken to issue the application as a patent.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.


Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions